

SENATE BILL NO. 538

BY SENATOR NEVERS

1 AN ACT

2 To amend and reenact R.S. 17:3126(D)(2), 3128(A) and (B)(1), 3130(A) and (B)(1)(a), and  
3 3351(A)(introductory paragraph), relative to postsecondary education; to provide  
4 with respect to the powers, duties, and functions of the Board of Regents and the  
5 postsecondary education management boards; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3126(D)(2), 3128(A) and (B)(1), 3130(A) and (B)(1)(a), and  
8 3351(A)(introductory paragraph) are hereby amended and reenacted to read as follows:

9 §3126. Power to disapprove; approve; or modify; service regions, establishment

10 \* \* \*

11 D.

12 \* \* \*

13 (2)(a) The Board of Regents shall evaluate the instructional and physical  
14 resources of such existing institutions within each region, including the resources of  
15 existing higher education institutions, and shall assure maximum use thereof before  
16 recommending the creation of any new postsecondary institution within the region.  
17 The Board of Regents may provide for the use within a region of existing resources  
18 from outside the region before recommending the creation of any new postsecondary  
19 institution within the region.

20 (b) Such evaluation shall also be used by the board to create efficiencies,  
21 increase student access, enhance academic quality, further the goals established  
22 by the master plan for postsecondary education, and for any other purpose that  
23 will serve to advance postsecondary education in each region and the state as a  
24 whole.

25 (c) With the exception of those matters enumerated in Article VIII,  
26 Section 5 of the Constitution of Louisiana that require legislative approval, the

1        Board of Regents shall adopt such policies and take such actions deemed  
2        appropriate and necessary to maximize the use of all resources available to  
3        support and promote postsecondary education in the state.

4                                \*           \*           \*

5        §3128. Power to formulate master plan; mission establishment

6                                A. The Board of Regents shall have the power to formulate and make timely  
7        revision of a master plan for ~~higher~~ postsecondary education. As a minimum, the  
8        plan shall include a formula for equitable distribution of funds to the institutions of  
9        ~~higher~~ postsecondary education. The board shall submit its plan and formula for  
10       funding to the governor and the legislature.

11                              B.(1) ~~In cooperation~~ After consultation with each ~~higher~~ postsecondary  
12       education management board, the chancellor, and the president of each public  
13       institution of ~~higher~~ postsecondary education, the Board of Regents shall devise,  
14       describe, and establish a mission for each public university system and for each  
15       institution within each system. Each mission statement shall be included in and form  
16       the basis of the master plan provided for in Subsection A of this Section. Initial  
17       mission statements shall be completed no later than January 15, 1989, shall be  
18       reviewed periodically, and shall be individually revised as often thereafter as is  
19       necessary to achieve and maintain the institutional balance necessary to diversity,  
20       access, and excellence.

21                                \*           \*           \*

22       §3130. Other powers

23                              A. All powers of management over public institutions of ~~higher~~  
24       postsecondary education not specifically vested in the Board of Regents by Article  
25       VIII, Section 5 of the Constitution of Louisiana, are reserved to the Board of  
26       Supervisors of Louisiana State University and Agricultural and Mechanical College,  
27       the Board of Supervisors of Southern University and Agricultural and Mechanical  
28       College, the Board of Supervisors of Community and Technical Colleges, and the  
29       Board of Trustees for State Colleges and Universities, as to the institutions under the  
30       control of each.

1                   B.(1)(a) All constitutional responsibilities of the Board of Regents, including  
 2                   the development of a formula for equitable distribution of funds, **provisions of the**  
 3                   **master plan for postsecondary education, and any other board policy that is**  
 4                   **part of a statewide plan or has statewide application,** shall apply to all public  
 5                   postsecondary institutions, ~~including vocational-technical schools.~~

6   \*           \*           \*

7                   §3351. General powers, duties, and functions of college and university boards

8                   A. Subject only to the powers of the Board of Regents specifically  
 9                   enumerated in Article VIII, Section 5 of the Constitution of Louisiana, and as  
 10                  otherwise provided by law, each postsecondary system management board as a body  
 11                  corporate shall have authority to exercise power necessary to supervise and manage  
 12                  the **day-to-day operations of** institutions of postsecondary education under its  
 13                  control, including but not limited to the following:

14   \*           \*           \*

15                  Section 2. This Act shall become effective upon signature by the governor or, if not  
 16                  signed by the governor, upon expiration of the time for bills to become law without signature  
 17                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 18                  vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 19                  effective on the day following such approval.

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

\_\_\_\_\_  
 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_